REMARKS

Claims 1-18 are all the claims pending in the application. By this Amendment, Applicant amends claims 1-6, cancels claims 7-18, and adds new claims 19 and 20. No new matter is being added.

I.   Preliminary Matters

As preliminary matters, Applicant thanks the Examiner for initialing the references listed on Form PTO/SB/08, submitted with the Information Disclosure Statement filed on August 3, 2006, as well as for acknowledging receipt of a certified copy of the priority document and accepting the drawings.

II.   Summary of the Office Action

The Examiner rejects claim 5-12 and 15-18 under 35 U.S.C. § 101, claims 3, 4, 7, 8, 11, and 12 under 35 U.S.C. § 112, and claims 1-18 under 35 U.S.C. § 102(b).

III.   Claim Rejection under 35 U.S.C. § 101

Claims 5-12, and 15-18 are rejected under 35 U.S.C. § 101, because the claimed invention is directed to a non-statutory subject matter. Applicant respectfully requests the Examiner to withdraw the rejection of these claims in view of the self-explanatory amendments being made herein.

IV.   Claim Rejection under 35 U.S.C. § 112

Claims 3, 4, 7, 8, 11, and 12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. That is, the Examiner alleges that indefinite outcomes are possible since m pieces are selected and n pieces are displayed (*see* page 3 of the Office Action).

Applicant has amended the claims to remedy this minor informality and respectfully requests the
Examiner to withdraw this rejection of claims 3 and 4 in view of these self-explanatory
amendments. Claims 7, 8, 11, and 12 have been cancelled, rendering this rejection moot.

V.   Claim Rejection under 35 U.S.C. § 102

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Meisel et al.
(US 2003/0033292), hereinafter referred to as "Meisel". Applicant respectfully traverses these
grounds of rejection at least in view of the following exemplary comments.

Independent claim 1 *inter alia* recites: "a displaying order deciding means for: calculating
a sum of bid amounts of money of m pieces of information, calculating a ratio of each of m
pieces of information over said sum of bid amounts of money of m pieces of information, and
deciding information of which a displaying order is a first rank based upon a probability
proportional to magnitude of said ratio of the bid amount of money of each of m pieces of
information; continuously calculating a sum of bid amounts of money of (m-1) pieces of
information except the bid amount of money of the information of which the displaying order is
a first rank, calculating a ratio of the bid amount of money of each of (m-1) pieces of information
over said sum of bid amounts of money of (m-1) pieces of information, and deciding information
of which the displaying order is a second rank based upon a probability proportional to
magnitude of said ratio of the bid amount of money of each of (m-1) pieces of information; said
computation is performed until information of which the displaying order is an (n-1)-th rank is
decided; and calculating a sum of bid amounts of money of (m-n+1) pieces of information except
the bid amount of money of the information of which the displaying order has been decided,
calculating a ratio of the bid amount of money of each of (m-n+1) pieces over said sum of bid
amounts of money of (m-n+1) pieces information, deciding information of which the displaying

order is an n-th rank based upon a probability proportional to magnitude of said ratio of the bid

amount of money of each of (m-n+1) pieces of information, and deciding the displaying order of

information ranging from a first rank up to an n-th rank."

An exemplary embodiment is for obtaining a ratio of the amount of money spent for each

advertisement information that is being displayed over a sum of the entire amount of money

collected from the displayed advisements, and deciding the displaying order of the advertisement

information based on a probability in which this ratio has been reflected.

That is, a possibility that the advertisement for which high amount of money was paid

will rank highly in the displaying order becomes high because the ratio of the amount of money

paid for the advertisement information over a sum of money paid for all the advisements

becomes large, and this ratio is reflected in the probability. On the other hand, a possibility that

the advertisement for which small amount of money was paid will rank highly in the displaying

order becomes low because the ratio of the amount of money paid for the advertisement

information over a sum of money paid for all the advisements becomes small, and this ratio is

reflected in the probability.

Accordingly, possibility that the advertisement ranks highly in the displaying order exists

even though small amount of money was paid is minimized because the displaying order is a so-

called probability based upon a ratio of the amount of money for particular advertisement

information over a sum of the total amounts of money for all the advisements.

In addition, in an exemplary embodiment, at the moment of deciding the displaying

order, whenever the displaying order of one advertisement is decided, the amount of money paid

for the particular advertisement is excluded from the sum of the total amount of money. That is,

a sum of money of m pieces of information is calculated, a ratio of each of m pieces of

information over said sum of money of m pieces of information is calculated. Information of

which a displaying order is a first rank is decided based upon a probability proportional to

magnitude of the ratio of the bid amount of money of each of m pieces of information.

Continuously, a sum of money of (m-1) pieces of information except the amount of money paid

for the particular information of which the displaying order is a first rank is calculated, a ratio of

the amount of money of each of (m-1) pieces of information over said sum of bid amounts of

money of (m-1) pieces of information is calculated, and information of which the displaying

order is a second rank is decided based upon a probability proportional to magnitude of said ratio

of the amount of money of each of (m-1) pieces of information. The computation is performed

until information of which the displaying order is an (n-1)-th rank is decided; and finally, a sum

of money of (m-n+1) pieces of information except the amount of money of the particular

information of which the displaying order has been decided is calculated, a ratio of the amount of

money of each of (m-n+1) pieces over the sum of money of (m-n+1) pieces of information is

calculated, information of which the displaying order is an n-th rank is decided based upon a

probability proportional to magnitude of said ratio of the bid amount of money of each of (m-

n+1) pieces of information, and the displaying order of information ranging from a first rank up

to an n-th rank is decided.

     With this, the displaying order of the advertisement for which a small amount of money

was paid is not always low as it depends on amount of money paid for other advertisings. That

is, there is a possibility that the advertisement, of which the amount of money is small, ranks

highly in the displaying order. In particular, with the case of the advertisement frame like a

mobile telephone, which is small in the display, and has a limited displaying number of the

advertisements, the advertisement having a small bid amount of money is not displayed

indefinitely in many cases. However, as described above, there is a possibility that the advertisement ranks highly in the displaying order even though it has a small bid amount of money.

Meisel, on the other hand, discloses deciding a displaying order of the advertisement based upon a result of the search, and the amount of money paid. In particular, the bigger the amount of money paid for the advertisement, the more heavily the advertisement is weighted, and the displaying order of the advertisement is one proportional to the amount of money paid. That is, Meisel discloses paying attention <u>only to the amount of money paid for the advertisement</u>, thereby to decide the displaying order of the advertisement and <u>not a ratio</u>. In other words, Meisel does not teach or suggest deciding the advertisement displaying order based upon a probability that is calculated <u>from a ratio</u> of the amount of money for each advertisement information over a sum of the entire amount of money of the advertisements.

In addition, Meisel does not disclose or suggest the configuration in which whenever the displaying order of one advertisement is decided, the amount of money for this advertisement is excluded from the calculated sum, and the displaying order is decided based upon a probability responding to the bid amounts of money of the advertisements of which the displaying order has not been decided.

Accordingly, claim 1 is patentable over Meisel. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claim 2.

Next, independent claims 3 and 5 recite features similar to, although not necessarily coextensive with, the features argued above with respect to claim 1. Therefore, arguments presented with respect to claim 1 are respectfully submitted to apply with equal force here. For

at least substantially analogous exemplary reasons, therefore, independent claims 3 and 5 are

patentable over Meisel. Claims 4 and 6 are patentable at least by virtue of their dependency.

Claims 7-18 have been cancelled rendering the rejection with respect to these claims

moot.

VI.   New Claims

In order to provide more varied protection, Applicant adds claims 19 and 20, which are

patentable for at least analogous reasons to the ones described above with respect to claim 1.

VII.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

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